

1 AN ACT in relation to the Illinois State Toll Highway
2 Authority.

3 Be it enacted by the People of the State of Illinois,
4 represented in the General Assembly:

5 Section 5. The Toll Highway Act is amended by changing
6 Sections 10, 11, 17, and 27.1 and by adding Sections 8.1,
7 9.65, 16.2, and 20.2 as follows:

8 (605 ILCS 10/8.1 new)

9 Sec. 8.1. Inspector General.

10 (a) The Governor must, with the advice and consent of
11 the Senate, appoint an Inspector General for the purpose of
12 detection, deterrence, and prevention of fraud, corruption,
13 and mismanagement in the Authority. The Inspector General
14 shall serve a 2-year term. If no successor is appointed and
15 qualified upon the expiration of the Inspector General's
16 term, the Office of Inspector General is deemed vacant and
17 the powers and duties under this Section may be exercised
18 only by an appointed and qualified interim Inspector General
19 until a successor Inspector General is appointed and
20 qualified. If the General Assembly is not in session when a
21 vacancy in the Office of Inspector General occurs, the
22 Governor may appoint an interim Inspector General whose term
23 shall expire 2 weeks after the next regularly scheduled
24 session day of the Senate.

25 (b) The Inspector General shall have the following
26 qualifications:

27 (1) has not been convicted of any felony under the
28 laws of this State, another State, or the United States;

29 (2) has earned a baccalaureate degree from an
30 institution of higher education; and

31 (3) has either (A) 5 or more years of service with

1 a federal, State, or local law enforcement agency, at
2 least 2 years of which have been in a progressive
3 investigatory capacity; (B) 5 or more years of service as
4 a federal, State, or local prosecutor; or (C) 5 or more
5 years of service as a senior manager or executive of a
6 federal, State, or local agency.

7 (c) The Inspector General may review, coordinate, and
8 recommend methods and procedures to increase the integrity of
9 the Authority. The Inspector General must report directly to
10 the Governor.

11 (d) In addition to the authority otherwise provided by
12 this Section, but only when investigating the Authority, its
13 employees, or their actions for fraud, corruption, or
14 mismanagement, the Inspector General is authorized:

15 (1) To have access to all records, reports, audits,
16 reviews, documents, papers, recommendations, or other
17 materials available that relate to programs and
18 operations with respect to which the Inspector General
19 has responsibilities under this Section.

20 (2) To make any investigations and reports relating
21 to the administration of the programs and operations of
22 the Authority that are, in the judgment of the Inspector
23 General, necessary or desirable.

24 (3) To request any information or assistance that
25 may be necessary for carrying out the duties and
26 responsibilities provided by this Section from any local,
27 State, or federal governmental agency or unit thereof.

28 (4) To issue subpoenas subject to the advance
29 approval of the Attorney General, and to compel the
30 attendance of witnesses for purposes of testimony and the
31 production of documents and other items for inspection
32 and copying. If a person has petitioned a court of
33 competent jurisdiction in Cook County, Sangamon County,
34 or any county where the subpoena is sought to be enforced

1 for a protective order or to quash or modify the
2 subpoena, then this Section does not apply during the
3 pendency of the court proceedings concerning the
4 petition. A person duly subpoenaed for testimony,
5 documents, or other items who neglects or refuses to
6 testify or produce documents or other items under the
7 requirements of the subpoena shall be subject to
8 punishment as may be determined by a court of competent
9 jurisdiction, unless (i) the testimony, documents, or
10 other items are covered by the attorney-client privilege
11 or any other privilege recognized by law or (ii) the
12 testimony, documents, or other items concern the
13 representation of employees and the negotiation of
14 collective bargaining agreements by a labor organization
15 authorized and recognized under the Illinois Public Labor
16 Relations Act to be the exclusive bargaining
17 representatives of employees of the State agency. Nothing
18 in this Section limits a person's right to protection
19 against self-incrimination under the Fifth Amendment of
20 the United States Constitution or Article I, Section 10,
21 of the Constitution of the State of Illinois.

22 (5) To have direct and prompt access to the Board
23 of Directors of the Authority for any purpose pertaining
24 to the performance of functions and responsibilities
25 under this Section.

26 (f) The Inspector General may receive and investigate
27 complaints or information from an employee of the Authority
28 concerning the possible existence of an activity constituting
29 a violation of law, rules, or regulations; mismanagement;
30 abuse of authority; or substantial and specific danger to the
31 public health and safety. The Inspector General shall have
32 the discretion to determine the appropriate means of
33 investigation as permitted by law and as approved in advance
34 by the Attorney General. Any employee who knowingly files a

1 false complaint or files a complaint with reckless disregard
2 for the truth or the falsity of the facts underlying the
3 complaint may be subject to discipline.

4 The Inspector General may not, after receipt of a
5 complaint or information from an employee, disclose the
6 identity of the employee without the consent of the employee.

7 Any employee who has the authority to recommend or
8 approve any personnel action or to direct others to recommend
9 or approve any personnel action may not, with respect to that
10 authority, take or threaten to take any action against any
11 employee as a reprisal for making a complaint or disclosing
12 information to the Inspector General, unless the complaint
13 was made or the information disclosed with the knowledge that
14 it was false or with willful disregard for its truth or
15 falsity.

16 (g) The Inspector General must adopt rules, in
17 accordance with the provisions of the Illinois Administrative
18 Procedure Act, establishing minimum requirements for
19 initiating, conducting, and completing investigations. The
20 rules must establish criteria for determining, based upon the
21 nature of the allegation, the appropriate method of
22 investigation, which may include, but is not limited to, site
23 visits, telephone contacts, personal interviews, or requests
24 for written responses. The rules must also clarify how the
25 Office of the Inspector General shall interact with other
26 local, State, and federal law enforcement investigations.

27 Any employee of the Authority subject to investigation or
28 inquiry by the Inspector General or any agent or
29 representative of the Inspector General shall have the right
30 to be notified of the right to remain silent during the
31 investigation or inquiry and the right to be represented in
32 the investigation or inquiry by a representative of a labor
33 organization that is the exclusive collective bargaining
34 representative of employees of the Authority. Any such

1 investigation or inquiry must be conducted in compliance with
 2 the provisions of a collective bargaining agreement that
 3 applies to the employees of the Authority. Any recommendation
 4 for discipline or any action taken against any employee by
 5 the Inspector General or any representative or agent of the
 6 Inspector General must comply with the provisions of the
 7 collective bargaining agreement that applies to the employee.

8 (h) The Inspector General shall provide to the Authority
 9 and the General Assembly a summary of reports and
 10 investigations made under this Section for the previous
 11 fiscal year no later than January 1 of each year. The
 12 summaries shall detail the final disposition of the Inspector
 13 General's recommendations. The summaries shall not contain
 14 any confidential or identifying information concerning the
 15 subjects of the reports and investigations. The summaries
 16 shall also include detailed, recommended administrative
 17 actions and matters for consideration by the General
 18 Assembly.

19 (i) The Office of the Inspector General shall be
 20 represented in all legal matters by the Attorney General.

21 (605 ILCS 10/9.65 new)

22 Sec. 9.65. Construction of sound barriers. The
 23 Authority shall use concrete masonry blocks to construct all
 24 sound barriers along any portion of the toll highway system
 25 that is constructed on or after the effective date of this
 26 amendatory Act of the 93rd General Assembly.

27 (605 ILCS 10/10) (from Ch. 121, par. 100-10)

28 Sec. 10. The Authority shall have power:

29 (a) To pass resolutions, make by-laws, rules and
 30 regulations for the management, regulation and control of its
 31 affairs, and to fix tolls, and to make, enact and enforce all
 32 needful rules and regulations in connection with the

1 construction, operation, management, care, regulation or
2 protection of its property or any toll highways, constructed
3 or reconstructed hereunder.

4 (a-5) To fix, assess, and collect civil fines for a
5 vehicle's operation on a toll highway without the required
6 toll having been paid. The Authority may establish by rule a
7 system of civil administrative adjudication to adjudicate
8 only alleged instances of a vehicle's operation on a toll
9 highway without the required toll having been paid, as
10 detected by the Authority's video or photo surveillance
11 system. In those cases in which the operator of the vehicle
12 is not the registered vehicle owner, the establishment of
13 ownership of the vehicle creates a rebuttable presumption
14 that the vehicle was being operated by an agent of the
15 registered vehicle owner. If the registered vehicle owner
16 liable for a violation under this Section was not the
17 operator of the vehicle at the time of the violation, the
18 owner may maintain an action for indemnification against the
19 operator in the circuit court. Rules establishing a system of
20 civil administrative adjudication must provide for written
21 notice, by first class mail or other means provided by law,
22 to the address of the registered owner of the cited vehicle
23 as recorded with the Secretary of State or to the lessee of
24 the cited vehicle at the last address known to the lessor of
25 the cited vehicle at the time of the lease, of the alleged
26 violation and an opportunity to be heard on the question of
27 the violation and must provide for the establishment of a
28 toll-free telephone number to receive inquiries concerning
29 alleged violations. The notice shall also inform the
30 registered vehicle owner that failure to contest in the
31 manner and time provided shall be deemed an admission of
32 liability and that a final order of liability may be entered.
33 A duly authorized agent of the Authority may perform or
34 execute the preparation, certification, affirmation, or

1 mailing of the notice. A notice of violation, sworn or
2 affirmed to or certified by a duly authorized agent of the
3 Authority, or a facsimile of the notice, based upon an
4 inspection of photographs, microphotographs, videotape, or
5 other recorded images produced by a video or photo
6 surveillance system, shall be admitted as prima facie
7 evidence of the correctness of the facts contained in the
8 notice or facsimile. Only civil fines, along with the
9 corresponding outstanding toll and costs, may be imposed by
10 administrative adjudication. A fine may be imposed under
11 this paragraph only if a violation is established by a
12 preponderance of the evidence. Judicial review of all final
13 orders of the Authority under this paragraph shall be
14 conducted in accordance with the Administrative Review Law.

15 Any outstanding toll, fine, additional late payment fine,
16 other sanction, or costs imposed, or part of any fine, other
17 sanction, or costs imposed, remaining unpaid after the
18 exhaustion of, or the failure to exhaust, judicial review
19 procedures under the Illinois Administrative Review Law are a
20 debt due and owing the Authority and may be collected in
21 accordance with applicable law. After expiration of the
22 period in which judicial review under the Illinois
23 Administrative Review Law may be sought, a final order of the
24 Authority under this subsection (a-5), unless stayed by a
25 court of competent jurisdiction, may be enforced in the same
26 manner as a judgment entered by a court of competent
27 jurisdiction. Upon being recorded in the manner required by
28 Article XII of the Code of Civil Procedure or by the Uniform
29 Commercial Code, a lien shall be imposed on the real estate
30 or personal estate or both of the party adjudicated liable in
31 the amount of any debt due and owing the Authority under this
32 Section. The lien may be enforced in the same manner as a
33 judgment lien pursuant to a judgment of a court of competent
34 jurisdiction.

1 A system of civil administrative adjudication may also
2 provide for a program of vehicle immobilization, towing, or
3 impoundment for the purpose of facilitating enforcement of
4 any final orders of the Authority under this subsection (a-5)
5 after expiration of the period in which judicial review under
6 the Illinois Administrative Review Law may be sought. The
7 registered vehicle owner of a vehicle immobilized, towed, or
8 impounded for nonpayment of a final order of the Authority
9 under this subsection (a-5) shall have the right to request a
10 hearing before the Authority's civil administrative
11 adjudicatory system to challenge the validity of the
12 immobilization, towing, or impoundment. This hearing,
13 however, shall not constitute a readjudication of the merits
14 of previously adjudicated notices. Judicial review of all
15 final orders of the Authority under this subsection (a-5)
16 shall be conducted in accordance with the Administrative
17 Review Law.

18 (b) To prescribe rules and regulations applicable to
19 traffic on highways under the jurisdiction of the Authority,
20 concerning:

21 (1) Types of vehicles permitted to use such
22 highways or parts thereof, and classification of such
23 vehicles;

24 (2) Designation of the lanes of traffic to be used
25 by the different types of vehicles permitted upon said
26 highways;

27 (3) Stopping, standing, and parking of vehicles;

28 (4) Control of traffic by means of police officers
29 or traffic control signals;

30 (5) Control or prohibition of processions, convoys,
31 and assemblages of vehicles and persons;

32 (6) Movement of traffic in one direction only on
33 designated portions of said highways;

34 (7) Control of the access, entrance, and exit of

1 vehicles and persons to and from said highways; and
2 (8) Preparation, location and installation of all
3 traffic signs; and to prescribe further rules and
4 regulations applicable to such traffic, concerning
5 matters not provided for either in the foregoing
6 enumeration or in the Illinois Vehicle Code. Notice of
7 such rules and regulations shall be posted conspicuously
8 and displayed at appropriate points and at reasonable
9 intervals along said highways, by clearly legible markers
10 or signs, to provide notice of the existence of such
11 rules and regulations to persons traveling on said
12 highways. At each toll station, the Authority shall make
13 available, free of charge, pamphlets containing all of
14 such rules and regulations.

15 (c) The Authority, in fixing the rate for tolls for the
16 privilege of using the said toll highways, is authorized and
17 directed, in fixing such rates, to base the same upon annual
18 estimates to be made, recorded and filed with the Authority.
19 Said estimates shall include the following: The estimated
20 total amount of the use of the toll highways; the estimated
21 amount of the revenue to be derived therefrom, which said
22 revenue, when added to all other receipts and income, will be
23 sufficient to pay the expense of maintaining and operating
24 said toll highways, including the administrative expenses of
25 the Authority, and to discharge all obligations of the
26 Authority as they become due and payable.

27 (d) To accept from any municipality or political
28 subdivision any lands, easements or rights in land needed for
29 the operation, construction, relocation or maintenance of any
30 toll highways, with or without payment therefor, and in its
31 discretion to reimburse any such municipality or political
32 subdivision out of its funds for any cost or expense incurred
33 in the acquisition of land, easements or rights in land, in
34 connection with the construction and relocation of the said

1 toll highways, widening, extending roads, streets or avenues
2 in connection therewith, or for the construction of any roads
3 or streets forming extension to and connections with or
4 between any toll highways, or for the cost or expense of
5 widening, grading, surfacing or improving any existing
6 streets or roads or the construction of any streets and roads
7 forming extensions of or connections with any toll highways
8 constructed, relocated, operated, maintained or regulated
9 hereunder by the Authority. Where property owned by a
10 municipality or political subdivision is necessary to the
11 construction of an approved toll highway, if the Authority
12 cannot reach an agreement with such municipality or political
13 subdivision and if the use to which the property is being put
14 in the hands of the municipality or political subdivision is
15 not essential to the existence or the administration of such
16 municipality or political subdivision, the Authority may
17 acquire the property by condemnation.

18 (Source: P.A. 89-120, eff. 7-7-95.)

19 (605 ILCS 10/11) (from Ch. 121, par. 100-11)

20 Sec. 11. The Authority shall have power:

21 (a) To enter upon lands, waters and premises in the
22 State for the purpose of making surveys, soundings, drillings
23 and examinations as may be necessary, expedient or convenient
24 for the purposes of this Act, and such entry shall not be
25 deemed to be a trespass, nor shall an entry for such purpose
26 be deemed an entry under any condemnation proceedings which
27 may be then pending; provided, however, that the Authority
28 shall make reimbursement for any actual damage resulting to
29 such lands, waters and premises as the result of such
30 activities.

31 (b) To construct, maintain and operate stations for the
32 collection of tolls or charges upon and along any toll
33 highways.

1 (c) To provide for the collection of tolls and charges
2 for the privilege of using the said toll highways. Before it
3 adopts an increase in the rates for toll, the Authority shall
4 hold a public hearing at which any person may appear, express
5 opinions, suggestions, or objections, or direct inquiries
6 relating to the proposed increase. Any person may submit a
7 written statement to the Authority at the hearing, whether
8 appearing in person or not. The hearing shall be held in the
9 county in which the proposed increase of the rates is to take
10 place. The Authority shall give notice of the hearing by
11 advertisement on 3 successive days at least 15 days prior to
12 the date of the hearing in a daily newspaper of general
13 circulation within the county within which the hearing is
14 held. The notice shall state the date, time, and place of
15 the hearing, shall contain a description of the proposed
16 increase, and shall specify how interested persons may obtain
17 copies of any reports, resolutions, or certificates
18 describing the basis on which the proposed change,
19 alteration, or modification was calculated. After
20 consideration of any statements filed or oral opinions,
21 suggestions, objections, or inquiries made at the hearing,
22 the Authority may proceed to adopt the proposed increase of
23 the rates for toll. No change or alteration in or
24 modification of the rates for toll shall be effective unless
25 at least 30 days prior to the effective date of such rates
26 notice thereof shall be given to the public by publication in
27 a newspaper of general circulation, and such notice, or
28 notices, thereof shall be posted and publicly displayed at
29 each and every toll station upon or along said toll highways.

30 (d) To construct, at the Authority's discretion, grade
31 separations at intersections with any railroads, waterways,
32 street railways, streets, thoroughfares, public roads or
33 highways intersected by the said toll highways, and to change
34 and adjust the lines and grades thereof so as to accommodate

1 the same to the design of such grade separation and to
2 construct interchange improvements. The Authority is
3 authorized to provide such grade separations or interchange
4 improvements at its own cost or to enter into contracts or
5 agreements with reference to division of cost therefor with
6 any municipality or political subdivision of the State of
7 Illinois, or with the Federal Government, or any agency
8 thereof, or with any corporation, individual, firm, person or
9 association. Where such structures have been built by the
10 Authority and a local highway agency did not enter into an
11 agreement to the contrary, the Authority shall maintain the
12 entire structure, including the road surface, at the
13 Authority's expense.

14 (e) To contract with and grant concessions to or lease
15 or license to any person, partnership, firm, association or
16 corporation so desiring the use of any part of any toll
17 highways, excluding the paved portion thereof, but including
18 the right of way adjoining, under, or over said paved portion
19 for the placing of telephone, telegraph, electric, power
20 lines and other utilities, and for the placing of pipe lines,
21 and to enter into operating agreements with or to contract
22 with and grant concessions to or to lease to any person,
23 partnership, firm, association or corporation so desiring the
24 use of any part of the toll highways, excluding the paved
25 portion thereof, but including the right of way adjoining, or
26 over said paved portion for motor fuel service stations and
27 facilities, garages, stores and restaurants, or for any other
28 lawful purpose, and to fix the terms, conditions, rents,
29 rates and charges for such use.

30 The Authority shall also have power to establish
31 reasonable regulations for the installation, construction,
32 maintenance, repair, renewal, relocation and removal of
33 pipes, mains, conduits, cables, wires, towers, poles and
34 other equipment and appliances (herein called public

1 utilities) of any public utility as defined in the Public
2 Utilities Act along, over or under any toll road project.
3 Whenever the Authority shall determine that it is necessary
4 that any such public utility facilities which now are located
5 in, on, along, over or under any project or projects be
6 relocated or removed entirely from any such project or
7 projects, the public utility owning or operating such
8 facilities shall relocate or remove the same in accordance
9 with the order of the Authority. All costs and expenses of
10 such relocation or removal, including the cost of installing
11 such facilities in a new location or locations, and the cost
12 of any land or lands, or interest in land, or any other
13 rights required to accomplish such relocation or removal
14 shall be ascertained and paid by the Authority as a part of
15 the cost of any such project or projects, and further, there
16 shall be no rent, fee or other charge of any kind imposed
17 upon the public utility owning or operating any facilities
18 ordered relocated on the properties of the said Authority and
19 the said Authority shall grant to the said public utility
20 owning or operating said facilities and its successors and
21 assigns the right to operate the same in the new location or
22 locations for as long a period and upon the same terms and
23 conditions as it had the right to maintain and operate such
24 facilities in their former location or locations.

25 (f) To enter into a contract with a unit of local
26 government or other public or private entity under which the
27 Authority agrees to collect by electronic means tolls, fees,
28 or revenues on behalf of that entity.

29 (Source: P.A. 90-681, eff. 7-31-98.)

30 (605 ILCS 10/16.2 new)

31 Sec. 16.2. Financial benefit prohibited.

32 (a) A director, employee, or agent of the Authority may
33 not receive a financial benefit from a contract let by the

1 Authority during his or her term of service with the
2 Authority and for a period of one year following the
3 termination of his or her term of service as a director of
4 the Authority or as an employee or agent of the Authority.

5 (b) A member of the immediate family or household of a
6 director, employee, or agent of the Authority may not receive
7 a financial benefit from a contract let by the Authority
8 during the immediate family or household member's term of
9 service with the Authority and for a period of one year
10 following the termination of the immediate family or
11 household member's term of service as a director of the
12 Authority or as an employee or agent of the Authority.

13 (c) A director, employee, or agent of the Authority may
14 not use material non-public information for personal
15 financial gain nor may he or she disclose that information to
16 any other person for that person's personal financial gain
17 when that information was obtained as a result of his or her
18 directorship, employment, or agency with the Authority.

19 (d) A member of the immediate family or household of a
20 director, employee, or agent of the Authority may not use
21 material non-public information for personal financial gain
22 nor may he or she disclose that information to any other
23 person for that person's personal financial gain when that
24 information was obtained as a result of his or her immediate
25 family or household member's directorship, employment, or
26 agency with the Authority.

27 (e) For purposes of this Section, "immediate family or
28 household member" means the spouse, child, parent, brother,
29 sister, grandparent, or grandchild, whether of the whole
30 blood or half blood or by adoption, or a person who shares a
31 common dwelling with a director of the Authority or with an
32 employee or agent of the Authority.

1 Sec. 17. (a) The Authority may from time to time issue
2 bonds for any lawful purpose including, without limitation,
3 the costs of issuance thereof and all such bonds or other
4 obligations of the Authority issued pursuant to this Act
5 shall be and are hereby declared to be negotiable for all
6 purposes notwithstanding their payment from a limited source
7 and without regard to any other law or laws.

8 (b) The bonds of every issue shall be payable solely out
9 of revenues of the Authority, accumulated reserves or sinking
10 funds, bond proceeds, proceeds of refunding bonds, or
11 investment earnings as the Authority shall specify in a bond
12 resolution.

13 (c) The bonds may be issued as serial bonds or as term
14 bonds, or the Authority, in its discretion, may issue bonds
15 of both types. The bonds shall be authorized by a bond
16 resolution of the Authority, may be issued in one or more
17 series and shall bear such date or dates, mature at such time
18 or times not exceeding 25 years from their respective date or
19 dates of issue, bear interest at such rate or rates, fixed or
20 variable, without regard to any limit contained in any other
21 statute or law of the State of Illinois, be payable as to
22 principal and interest at such time or times, be in such
23 denominations, be in such form, either coupon or fully
24 registered, carry such registration and conversion
25 privileges, be payable in lawful money of the United States
26 of America at such places, be subject to such terms of
27 redemption and may contain such other terms and provisions,
28 as such bond resolution or resolutions may provide. The
29 bonds shall be executed by the manual or facsimile signatures
30 of the Chairman and the Secretary. In case any of the
31 officers whose signature appears on the bonds or coupons, if
32 any, shall cease to be an officer before the delivery of such
33 bonds, such signature shall nevertheless be valid and
34 sufficient for all purposes, as if he had remained in office

1 until such delivery. The bonds shall be sold in such manner
2 as the Authority shall determine. The proceeds from the sale
3 of such bonds shall be paid to the Treasurer of the State of
4 Illinois as ex officio custodian. Pending preparation of the
5 definitive bonds, the Authority may issue interim receipts or
6 certificates which shall be exchanged for such definitive
7 bonds.

8 (d) Any bond resolution, or trust indenture entered into
9 pursuant to a bond resolution, may contain provisions, which
10 shall be a part of the contract with the holders of the bonds
11 to be authorized, as to: (i) pledging or creating a lien upon
12 all or part of the revenues of the Authority or any reserves,
13 sinking funds, bond proceeds or investment earnings; (ii) the
14 setting aside of reserves or sinking funds, and the
15 regulation, investment and disposition thereof; (iii) the use
16 and maintenance requirements for the toll highways; (iv) the
17 purposes to which or the investments in which the proceeds of
18 sale of any series or issue of bonds then or thereafter to be
19 issued may be applied; (v) the issuance of additional bonds,
20 the terms upon which additional bonds may be issued and
21 secured, the purposes for such additional bonds, and the
22 terms upon which additional bonds may rank on a parity with,
23 or be subordinate or superior to other bonds; (vi) the
24 refunding of outstanding bonds; (vii) the procedure, if any,
25 by which the terms of any contract with bondholders may be
26 amended or abrogated, the amount of bonds the holders of
27 which must consent thereto, and the manner in which such
28 consent may be given; (viii) defining the acts or omissions
29 to act which shall constitute a default in the duties of the
30 Authority to holders of its obligations and providing the
31 rights and remedies of such holders in the event of a
32 default; (ix) any other matters relating to the bonds which
33 the Authority deems desirable.

34 (e) Neither the directors of the Authority nor any

1 person executing the bonds shall be liable personally on the
2 bonds or be subject to any personal liability or
3 accountability by reason of the issuance thereof.

4 (f) The Authority shall have power out of any funds
5 available therefor to purchase its bonds. The Authority may
6 hold, pledge, cancel or resell such bonds subject to and in
7 accordance with agreements with bondholders.

8 (g) In the discretion of the Authority any bonds issued
9 under the provisions of this Act may be secured by a trust
10 indenture by and between the Authority and a trustee or
11 trustees, which may be any trust company or bank in the State
12 of Illinois having the powers of a trust company and
13 possessing capital and surplus of not less than \$50,000,000.
14 The bond resolution or trust indenture providing for the
15 issuance of bonds so secured shall pledge such revenues of
16 the Authority, sinking funds, bond proceeds, or investment
17 earnings as may be specified therein, may contain such
18 provisions for protecting and enforcing the rights and
19 remedies of the bondholders as may be reasonable and proper
20 and not in violation of law, including particularly such
21 provisions as have hereinabove been specifically authorized
22 to be included in any bond resolution or trust indenture of
23 the Authority, and may restrict the individual right of
24 action by bondholders. In addition to the foregoing, any
25 bond resolution or trust indenture may contain such other
26 provisions as the Authority may deem reasonable and proper
27 for the security of the bondholders, including, but not
28 limited to, the purchase of bond insurance and the
29 arrangement of letters of credit, lines of credit or other
30 credit or liquidity enhancement facilities; provided there
31 shall be no pledge of the toll highway or any part thereof.
32 All expenses incurred in carrying out the provisions of any
33 bond resolution or trust indenture may be treated as a part
34 of the cost of the operation of the toll highways.

1 (h) Bonds issued under the authority of this Act do not,
2 and shall state upon the face of each bond that they do not,
3 represent or constitute a debt of the Authority or of the
4 State of Illinois within the meaning of any constitutional or
5 statutory limitation or a pledge of the faith and credit of
6 the Authority or the State of Illinois, or grant to the
7 owners or holders thereof any right to have the Authority or
8 the General Assembly levy any taxes or appropriate any funds
9 for the payment of the principal thereof or interest thereon.
10 Such bonds shall be payable and shall state that they are
11 payable solely from the revenues and the sources authorized
12 under this Act and pledged for their payment in accordance
13 with the bond resolution or trust indenture.

14 Nothing in this Act shall be construed to authorize the
15 Authority or any department, board, commission or other
16 agency to create an obligation of the State of Illinois
17 within the meaning of the Constitution or Statutes of
18 Illinois.

19 (i) Any resolution or trust indenture authorizing the
20 issuance of the bonds may include provision for the issuance
21 of additional bonds. All resolutions of the Authority to
22 carry such adopted bond resolutions into effect, to provide
23 for the sale and delivery of the bonds, for letting of
24 contracts for the construction of toll highways and the
25 acquisition of real and personal property deemed by the
26 Authority necessary or convenient for the construction
27 thereof, shall not require the approval of the Governor or of
28 any other department, division, commission, bureau, board or
29 other agency of the State.

30 (j) Prior to expending or obligating any amounts on
31 deposit in any fund or account established in any bond
32 resolution or trust indenture entered into pursuant to a bond
33 resolution, in excess of the amount required to be held by
34 the Authority in order to satisfy covenants established in

1 any such bond resolution or trust indenture entered into
2 pursuant to a bond resolution, the Authority shall submit to
3 the General Assembly the proposed expenditure or obligation.
4 If the General Assembly fails to adopt a joint resolution
5 disapproving of such expenditure or obligation within the
6 current legislative session, or, if the General Assembly is
7 not in session at the time of submission, during the next
8 legislative session thereafter, the Authority may proceed to
9 expend or obligate such funds substantially in accordance
10 with such proposal.

11 (Source: P.A. 83-1258.)

12 (605 ILCS 10/20.2 new)

13 Sec. 20.2. Comprehensive Strategic Financial Plan.

14 (a) The Authority must submit to the General Assembly,
15 not later than May 15, 2004, a 20-year comprehensive
16 strategic financial plan. The plan must include detailed
17 information regarding the Authority's income, expenditures,
18 debt, capital needs, and the cost of any planned toll highway
19 extensions. The Authority must provide detailed and specific
20 information regarding how it will fund its debt, unfunded
21 capital needs, and the planned toll highway extensions. This
22 information must include the possibility of obtaining federal
23 funds, both loans and grants, under the Transportation
24 Infrastructure Innovation Act or other federal programs.

25 (b) Before submitting the plan under subsection (a), the
26 Authority must hold at least 2 public hearings at which any
27 person may appear, express opinions, suggestions, or
28 objections, or direct inquiries relating to the proposed
29 plan. The Authority may not hold more than one hearing on the
30 same day in connection with the proposed plan. The Authority
31 must schedule a minimum of 4 hours for each hearing. At least
32 3 directors of the Authority must be present at each hearing,
33 and each director must be present for the entire duration of

1 the hearing.

2 (605 ILCS 10/27.1) (from Ch. 121, par. 100-27.1)

3 Sec. 27.1. Any person who shall use any spurious or
4 counterfeit tickets, coupons or tokens in payment of any toll
5 required to be paid by the Authority under the provisions of
6 this Act, or who shall attempt to use the highway without
7 payment of the tolls prescribed by the Authority, shall be
8 deemed guilty of a petty offense and shall be fined not less
9 than \$5 nor more than \$100 for each such offense. The fine
10 range set forth in this Section for prosecution of toll
11 evasion as a petty offense does not apply to toll evasion
12 offenses that are adjudicated in the Authority's
13 administration system Each-day-any-toll-highway--is--used--by
14 any--person--in--violation--of--this--Act--shall-constitute-a
15 separate-offense.

16 (Source: P.A. 77-2239.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.